

House Bill 262 (COMMITTEE SUBSTITUTE)

By: Representatives Hill of the 21st and McCall of the 30th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 44-5-60 of the Official Code of Georgia Annotated, relating to
2 covenants running with the land, so as to prohibit enforcement of certain covenants which
3 would require use of certain plants during watering restrictions; to provide for related
4 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 44-5-60 of the Official Code of Georgia Annotated, relating to covenants
8 running with the land, is revised by adding a new paragraph (5) to subsection (d) to read as
9 follows:

10 "(5) Notwithstanding any other provision of this Code section, a covenant that requires
11 the use of specified grasses, shrubs, trees, or bushes shall not be enforced in this state so
12 as to require a property owner to violate any state or state authorized local outdoor water
13 use restrictions."

14 **SECTION 2.**

15 This Act shall become effective upon its approval by the Governor or upon its becoming law
16 without such approval.

17 **SECTION 3.**

18 All laws and parts of laws in conflict with this Act are repealed.